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March 23, 2017

By Hand

AUSA Richard M. Tucker
United States Attorney's Office
For the Eastern District of New York
271 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Vinas, 08 Cr. 823 (NGG)

Dear Mr. Tucker:

We represent Defendant Bryant Neal Vinas in the above-referenced matter and write to seek clarification of certain issues addressed in the Government's classified letter, dated February 3, 2017, which we received pursuant to the Classified Information Procedures Act. The information contained in your letter, and the attachment to your letter, are classified TOP SECRET [redacted] NOFORN and TOP [redacted] NOFORN respectively, so we presume that any information contained in this letter will receive the same classification and as such should be handled accordingly.

As you may be aware, Defendant's sentencing memoranda (both unclassified and classified briefs) are presently due April 6, 2017. Answers to the following questions are necessary so that we may provide the Court, specifically the Honorable Nicholas G. Garaufis, United States District Court Judge for the Eastern District of New York, with a complete and accurate assessment of the defense view of an appropriate sentence for Mr. Vinas in this case as well as – most importantly – a complete and accurate explanation of the reasons why Mr. Vinas should receive the sentence that we shall propose. See 18 U.S.C. § 3553(a).

1. With respect to any of the information provided [redacted] by Mr. Vinas, including information that is specifically referenced [redacted] as having been "assessed to be historical or potential leads to Usama bin Laden and Ayman al-Zawahiri", did any of such information assist the United States in obtaining the location of Usama bin Laden and/or Ayman al-Zawahiri?
2. With respect to the above, did any of such information assist in the capture or death of Usama bin Laden and/or Ayman al-Zawahiri?
3. Please provide an estimate of the number of acts of terrorism targeting people or places within the United States that were "disrupted" as a result of the information

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provided by Mr. Vinas to the United States (including the FBI, the DOJ, and the IC) and/or to "U.S. foreign liaison partners"?

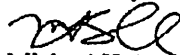
4. Please provide an estimate of the number of acts of terrorism targeting people or places outside of the United States that were "disrupted" as a result of the information provided by Mr. Vinas to the United States (including the FBI, the DOJ, and the IC) and/or to "U.S. foreign liaison partners"?
5. Was information provided by Mr. Vinas relied upon by the United States for military purposes? If so, please provide a summary.
6. Was information provided by Mr. Vinas relied upon by the United States in relation to [] of specific targets? If so, please provide an estimate of the number of [] that relied upon such information as well as an estimate of the number of [] that were successfully completed as a result of such information?
7. Has the IC been able to successfully infiltrate al-Qaeda as a result of the information provided by Mr. Vinas?
8. Has the IC been able to successfully infiltrate any other terrorist organization, including but not limited to ISIS, as a result of the information provided by Mr. Vinas?
9. Please identify whether the answer to any of the questions listed above is revealed in the paragraphs that are redacted in the Government's classified letter []
[]

Please provide answers to the above questions prior to the Court's current deadline for the submission of Defendant's sentencing memoranda (April 6, 2017). This will help ensure that Defendant's classified sentencing submission is filed in a timely manner.

Should you require additional time to respond to the above questions, please alert counsel as expeditiously as possible so that we may request an extension of time from the Court. Should you fail to receive authorization to answer any or all of the questions listed above, please alert counsel immediately so that the parties may discuss – and attempt to reach agreement on – how to proceed.

Thank you for your time and consideration.

Respectfully submitted,



Michael K. Bachrach

Steve Zissou

Attorneys for Defendant Bryant Neal Vinas

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